

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR
9004-1(b)**

FEIN, SUCH, KAHN & SHEPARD, P.C.
Counsellors at Law
7 Century Drive - Suite 201
Parsippany, New Jersey 07054
(973) 538-9300
Attorneys for Movant
PENNYMAC LOAN SERVICES, LLC
R.A. LEBRON, ESQ.
936IUC
bankruptcy@feinsuch.com

In Re:

ELLIOT A. GRIFFIN and NIA GRIFFIN

Debtor(s).

Case No.: 18-17375 KCF

Chapter: 13

Hearing Date: September 12, 2018

Judge: Hon. Kathryn C. Ferguson,
Chief Judge



Order Filed on September 24, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Recommended Local Form: ☒ Followed ☐ Modified

ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS
WITH CONDITIONS

The relief set forth on the following page(s) is hereby **ORDERED**.

DATED: September 24, 2018

A handwritten signature in black ink, appearing to read "Kathryn C. Ferguson".
Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

Applicant:	PENNYMAC LOAN SERVICES, LLC
Applicant's Counsel:	Fein, Such, Kahn & Shepard, P.C.
Debtors' Counsel:	ROBERT MANCHEL
Property Involved (Collateral")	44 BRADFORD LANE WILLINGBORO, NJ 08046

Relief sought: ☒ Motion for relief from the automatic stay

☐ Motion to dismiss

☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtors are overdue for 5 months, from May, 2018 to September, 2018.
- ☒ The Debtors are overdue for 5 payments at \$1,649.19 per month.
- ☐ The Debtors are assessed for N/A late charges at N/A per month.
- ☐ Applicant acknowledges receipt of funds in the amount of N/A received after the motion was filed.

Total Arrearages Due \$8,245.95.

2. Debtors must cure all post-petition arrearages, as follows:

- ☒ Immediate payment shall be made in the amount of \$5,500.00. Payment shall be made no later than September 20, 2018.
- ☒ Beginning on October 1, 2018, regular monthly mortgage payments shall continue to be made in the amount of \$1,649.18.
- ☒ Beginning October, 2018, additional monthly cure payments shall be made for 6 months. Debtors shall make cure payments in the amount of \$457.66 for October, 2018 through February, 2019 and \$457.65 for March, 2019.

☐ The amount of \$N/A shall be capitalized in the Debtors' Chapter 13 plan. The Debtors' monthly payment to the Chapter 13 Trustee is modified to be \$N/A per month.

3. Payments to the Secured Creditor shall be made to the following address(es):

- ☒ Immediate payment: Pennymac Loan Services, LLC
c/o Fein, Such, Kahn & Shepard P.C.
7 Century Drive Suite 201,
Parsippany, NJ 07054
- ☒ Regular monthly payment: Pennymac Loan Services, LLC c/o
3043 Townsgate Road
Westlake Village, CA 91361
- ☒ Monthly cure payment: Pennymac Loan Services, LLC c/o
3043 Townsgate Road
Westlake Village, CA 91361

4. In the event of Default:

☒ If the Debtors fail to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtors' failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorneys fees of \$400.00, and costs of \$181.00.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Elliot A. Griffin
Nia Griffin
Debtors

Case No. 18-17375-KCF
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 24, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 26, 2018.
db/jdb +Elliot A. Griffin, Nia Griffin, 44 Bradford Lane, Willingboro, NJ 08046-1539

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 26, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 24, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Heather Lynn Anderson on behalf of Creditor State Of New Jersey Division Of Taxation
heather.anderson@law.dol.lps.state.nj.us
Jill Manzo on behalf of Creditor PENNYMAC LOAN SERVICES, LLC bankruptcy@feinsuch.com
R. A. Lebron on behalf of Creditor PENNYMAC LOAN SERVICES, LLC bankruptcy@feinsuch.com
Rebecca Ann Solarz on behalf of Creditor Toyota Motor Credit Corporation
rsolarz@kmlawgroup.com
Robert Manchel on behalf of Joint Debtor Nia Griffin manchellaw@yahoo.com
Robert Manchel on behalf of Debtor Elliot A. Griffin manchellaw@yahoo.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8